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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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| FEDERAL INSURANCE COMPANY; | : | ECF CASE |
| | : | |
| Plaintiff, | : | 07 Civ. 3372 (VM) |
| | : | |
| - against - | : | COMPLAINT |
| | : | |
| M/V "RICKMERS TOKYO", | : | |
| M/V "RICKMERS JAKARTA", | : | |
| their engines, tackles, boilers, etc.; | : | |
| RICKMERS-LINIE GMBH & | : | |
| CIE. KG, HAMBURG; | : | |
| | : | |
| Defendants. | : | |

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Plaintiff, through its undersigned attorney, alleges as follows for its complaint against defendants:

1. This is an admiralty and maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure with respect to the carriage of the subject cargo by sea and also falls within the Court's federal question, pendent, ancillary, and supplemental jurisdiction as to the remaining aspects of the claim in suit. Plaintiff seeks recovery for cargo loss and damage caused by defendants' breaches of contract and torts.

2. Plaintiff Federal Insurance Company is a corporation organized under the laws of one of the fifty states with an office at 55 Water Street, New York, New York, and sues herein as subrogated insurer of the cargo in suit, having paid the insurance

claims of Shamrock Steel, Inc. and Shamrock Building Materials, Inc. and for and on behalf of the shipper, consignee and owner of the cargo as their interests may appear.

3. Defendant Rickmers-Linie GmbH & Cie. KG, Hamburg (“Rickmers”) is believed to be a corporation organized under the laws of foreign sovereign.

4. This Court has jurisdiction over Rickmers who conducts business in the State of New York and/or within the United States as a whole within the meaning of pursuant to Rule 4(k)(2) Federal Rules of Civil Procedure.

5. Upon information and belief the captioned vessels, which was at all material times were owned, chartered, managed, operated, or hired by Rickmers, are now, or will be during the pendency of this action, within the admiralty and maritime jurisdiction of this Honorable Court or is otherwise subject to jurisdiction pursuant to Rule 4(k) (2) Federal Rule of Civil Procedure.

6. This action involves loss and damage to the shipments which are described more fully described in the bills of lading listed on the annexed Schedules A and B, which are incorporated herein by reference.

7. The aforementioned damage and loss was caused in whole or in part by the unseaworthiness of the carrying vessels as well as defendants’ reckless failure to properly and safely store, load, stow, lash, carry, ventilate, discharge, deliver and care for the subject cargo, and their unreasonable deviations from, and fundamental breaches of, the terms of the governing contracts of carriage.

8. As a result of the foregoing, plaintiff, and those on whose behalf it sues, has sustained damages in the amount of \$72,783.53 for which defendants are jointly and severally liable without limitation of any kind.

9. Plaintiff sues on its own behalf and as agent and trustee for and on behalf of anyone else who may now have or hereafter acquire an interest in this action.

WHEREFORE, plaintiff demands judgment against defendants jointly and severally in the amount of \$72,783.53 together with interest at the rate of 9% per annum and the costs of this action and prays that this Honorable Court issue its process against the aforesaid vessels in rem.

Dated: New York, New York
April 27, 2007

LAW OFFICES,
DAVID L. MAZAROLI

s/David L. Mazaroli

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File Nos.: 6C-1263 and 6C-1332

SCHEDULE A

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|----------------------|---|
| Subrogated Insurer: | Federal Insurance Company |
| Shipper: | Weifgang East Steel Pipe Co., Ltd. |
| Consignees: | Shamrock Steel, Inc. and Shamrock Building Materials, Inc. |
| Vessel: | M/V "RICKMERS TOKYO" |
| Voyage: | 152 |
| Port of Loading: | Qingdao |
| Port of Discharge: | New Orleans |
| Bills of Lading: | RCKI152QINNOL04 thru 26 |
| dated: | February 23, 2005 |
| Shamrock Order No. | 71978 |
| Commodity: | galvanized steel pipes |
| Claim Amount: | \$59,440.53 |
| Rickmers-Linie File: | 60067 |
| Chubb File: | 66852/035 |
| DLM File: | 6C-1263 |

SCHEDULE B

| | |
|----------------------|---|
| Subrogated Insurer: | Federal Insurance Company |
| Shipper: | Weifgang East Steel Pipe Co., Ltd. |
| Consignees: | Shamrock Steel, Inc. and Shamrock Building Materials, Inc. |
| Vessel: | M/V "RICKMERS JAKARTA" |
| Voyage: | 168 |
| Port of Loading: | Qingdao |
| Port of Discharge: | Houston + New Orleans |
| Bills of Lading: | RCKI168QINHOU16 and 31 RCK1168QINNOL03, 08, 15, 23 and 29 |
| dated: | October 10, 2005 |
| Shamrock Order Nos.: | 73185, 73158, 73186 and 73238 |
| Commodity: | galvanized steel pipes |
| Claim Amount: | \$13,343.00 |
| Rickmers-Linie File: | 63260/KB |
| Chubb File: | 66852/046 |
| DLM File: | 6C-1332 |